

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

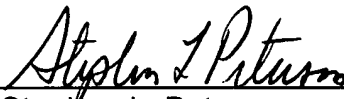
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 14, 2006

By:   
Stephen L. Peterson  
Reg. No. 26,325

903439



IFW

PATENT  
Customer No. 22,852  
Attorney Docket No. 09401.0004-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Vladimir SHEIMAN	)	Group Art Unit: 3763
	)	
Application No.: 10/525,373	)	Examiner: (Unknown)
	)	
Filing Date: January 17, 2006	)	
	)	
For: NEBULIZING AND DRUG	)	Confirmation No.: 5191
DELIVERY DEVICE	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/525,373
Filing Date	January 17, 2006
First Named Inventor	Vladimir SHEIMAN
Art Unit	3763
Examiner Name	
Attorney Docket Number	09401.0004-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,041,253	3/21/2000	Kost et al.	
		US-6,152,383	11/18/2000	Chen	
		US-6,478,754	11/12/2002	Babaev	
		US-2000/0082666	6/27/2002	Babaev	
		US-6,402,046	6/11/2002	Löser	
		US-6,283,118	9/04/2001	Lu	
		US-5,908,158	6/01/1999	Cheiman	
		US-4,976,259	12/11/1990	Higson et al.	
		US-			
		US-			
		US-			

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		CN 1143528	8/21/1995	Daid		English abstract
		RU 2076746	4/10/1997	Kalinin		English Abstract
		RU 2070062	12/10/1996	Khmelev		English Abstract
		WO 95/26236	10/05/1995	Rowe		Yes

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>

Examiner Signature		Date Considered	
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